

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Select Board

Martin Memorial Hall
5259 Route 5, Ascutney VT
Tuesday, September 4, 2018
7:00 PM

REGULAR MEETING

MINUTES

APPROVED 9/17/2018

Select Board Members Present: N. John Arrison
Daniel Boyer
C. Peter Cole
Tom Leach
Kelly Murphy

Select Board Members Absent:

Ed Morris, Town Manager

Others Present:

Paul Tillman Edith Stillson Sven Fedorow Heather Shand

1. Call to Order

Ms. Murphy called the meeting to order at 7:00 PM.

Ms. Murphy read the list of boards and commissions vacancies. Anyone interested in a position should contact the town office.

2. Comments from Select Board and Town Manager

In response to an email discussion, Mr. Morris said there is a talk on Lyme disease coming up. He wanted to mention how it good it was that three town boards have come together to sponsor an event. He said he had invited Heather Shand to attend the meeting and explain a bit about what the talk is about as there had been some concern that the town was promoting something it may not necessarily stand behind (holistic approach to Lyme disease treatment).

Ms. Shand said the talk would be given by a doctor from Sojourns Community Clinic (Westminster). Sojourns is a clinic that uses both alternative and classical medicine. The talk will cover statistics of Lyme disease, statistics of where ticks are being found and where they are migrating; reliability of Lyme testing; and mostly about how to prevent getting bitten by a tick. Sojourns is a recognized authority on Lyme disease treatment.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

The talk will be held on Wednesday, September 12th at the library. The event is being co-sponsored by the Library, Parks and Recreation and the Conservation Commission.

Mr. Arrison said he had “red-flagged” the event because he thought the title was a bit “off”, but he said Ms. Shand's explanation was helpful and thanked her.

(The video camera was turned on at this point, so Ms. Murphy recapped events thus far and re-read the list of boards and commissions vacancies.)

Ms. Murphy read three thank-you letters from local social service agencies that had received money from the voters:

1. Weathersfield Aging in Place (\$360)
2. SEVCA (\$1200)
3. VT Association of the Blind (\$750)

Ms. Murphy said there would be a stakeholder meeting of the 3-town recreation initiative (Windsor, West Windsor and Weathersfield) Thursday night at 6:30 PM at the Weathersfield School to begin brainstorming what options and ideas people may have. She said the stakeholder invite was all of the area businesses and recreation-type connections.

3. Comments from Citizens on topics not on the agenda

There were no comments from citizens.

4. Review minutes from previous meetings – 8/20/2018

Additions/corrections/deletions:

- a. Page 1: “Ms. Murphy said there is a new bass *fishing* team in Windsor that consists primarily ~~if~~ of Weathersfield athletes.”
- b. Page 1: Add that Mike Tillman, owner of Tillman's Bait shop in Weathersfield is the coach of the fishing team
- c. Page 2: “She said figures show that the town *and the two non-profits* ~~is~~ are spending \$225,000 a year on fire services, not including the payments on the fire truck, *which is all being funded by community members by donations or tax dollars.*”

Motion: To accept the minutes of August 20th as amended

Made by: Mr. Boyer **Second:** Mr. Leach

Vote: Unanimous in favor

5. Discuss Signs on Class IV Roads

Mr. Arrison asked Mr. Morris and Mr. Stapleton to put up signs on Yewell Lane and Cooks Pond Road indicating the trail that is along the Class IV sections of these roads.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Morris said that when he received this request it brought to mind the discussions of last year with Kate Adams. He thought she was asking for a road sign and had recommended against it. Since then he has come to understand that she wanted a trail sign similar to what's on Cooks Pond Road and Cascade Falls Road. He said that before he puts up any signs, he thought the board should discuss it first and develop a recommendation regarding whether or not to put signs like this on Class IV roads.

Mr. Leach asked how many Class IV roads does the town have. Mr. Morris was uncertain.

Mr. Arrison said it is important for recreational use and that people understand that it's not private land they are entering. He said there used to be a big sign at the end of Yewell Lane that has disappeared. There are three big boulders there now so vehicles cannot drive through. The adjacent landowner has a "No Trespassing" sign there that makes it look like it's not a town right of way or trail. He said it is helpful to be clear where the town roads are. He said there are signs on both ends of Center Grove Road stating that no motorized vehicles are allowed, but he felt stating that it is a trail is more to the point.

Mr. Cole agreed and said the town needs to be more consistent and felt the board should develop if not a policy then come to consensus on what can and can't be done on the town's trails.

Mr. Leach asked what is the exact wording on these signs. Mr. Morris said they had to come up with it and make it standardized. If it's a Class IV road, it should be designated as such. Mr. Arrison added that some of them have been designated as trails.

Mr. Morris said the town has to come up with consistent wording on the signs – Class IV roads should be signed as such.

Mr. Cole advised checking with the state for a template.

Mr. Morris said the board will have to decide when to put up signs – Class IVs, trails, etc. and then act accordingly. He said he wanted a motion from the board before he starts putting up signs.

Ms. Murphy suggested that Mr. Morris and Mr. Stapleton do some investigating into what the state may have.

6. Discuss and Approve Moving the Land Use Position to Full Time

Mr. Morris is proposing to move the Land Use Administrator position from part time to full time. Sven Fedorow was present to answer any questions of the board. Planning

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Commissioner Paul Tillman was also present. The board also had a letter of support from Nancy Heatley, chair of the Planning Commission.

Ms. Murphy thanked Mr. Fedorow for the background information he had provided the board as she felt it helped her to make a more informed decision. (Mr. Fedorow had provided a list of deficiencies and difficulties that have accumulated in the land use office as a result of rapid turnover and poor administration in the past few years.)

Mr. Osgood, a previous administrator, had said the position should be full time. Mr. Morris was not comfortable making that recommendation at that time. The Planning Commission felt at that time that it should be a full time position. Hal had been hired under the same pretext as with Sven – that he try to track performance and see what the job entails and make the decision later. That never came to realization with Hal. Again he discussed it with the Planning Commission before advertising the vacancy and decided to go with part time and to ask the new hire to track their time and to say what might happen if time were added to the position. Sven did a good job putting some of that together. He said he spent a month doing the land use administrator's work and said there is a lot of work to be done to clean things up and streamline the process. Sven has been digitizing everything as it comes in so it's on the computer. A GIS system has been approved and is going online soon – it has a module that will link documents directly to parcels. This will streamline things for town staff. It eliminates the need to dig through files in the vault. He said there is a lot of time that could be spent in this position to really shore this position up and perhaps bring it back to where it used to be as well as bring it into the future. In addition, the zoning bylaws will have to be brought into alignment with the newly updated Town Plan.

Mr. Morris said the timing is right and directed the board's attention to the money figures he had provided in the packet - with the consolidation of two positions there's money in the budget. Moving Sven to the full time position at this time will actually still save the town money, so it's a good time to make the transition.

Ms. Murphy asked for clarification of the finances. Mr. Morris said that by consolidating payroll and Shirley's position, we are on track to save about \$36,000 this year. If Sven is moved to full time, his current salary rate, the difference in hours, adding benefits and all the things that come along with moving to full time is a cost of \$21, 526.23. This leaves a difference of \$14,834.28. We would save approximately \$15,000 from what we actually budgeted for salaries in land use and administration.

Mr. Morris said that Darlene and Suzanne are doing well under the new organization and don't see there will be a need to refill the payroll position. They continue to improve efficiency through technology changes, such as the recent purchase of a check scanner that

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

scans checks, records them as searchable pdf files and immediately deposits them in the bank.

The payroll/HR position was previously part time with no benefits. Shirley's old position was full time with benefits. Suzanne is moving into the full time position with benefits. Mr. Morris said she moved into the position with a lower pay rate than Shirley (she's a newer employee) – she gets less vacation and less sick leave, which are all added costs to the town. Suzanne also did the benefit opt-out, which saves the town \$8,000 - \$9,000. All of this is calculated into the \$36,000 savings.

Ms. Murphy asked what wasn't getting accomplished as a result of the consolidation. Mr. Morris said only the benefit study has been postponed, but it will get done – just a bit later.

Mr. Arrison was still uncertain about the numbers and Mr. Morris continued to provide answers to his questions.

Mr. Arrison asked if zoning revenue would increase with the shift to full time. Mr. Fedorow said there should be some increase in fines, because for a number of years there were no fines issued at all. Application fees maybe should be revisited – i.e. lessen some and raise others to reflect the amount of time involved in processing them. He felt that by signaling that the zoning bylaws will be enforced and by being more proactive in ensuring people are not building things without permits there should be an increase in revenue.

Mr. Morris said the practice of charging double the fee for after-the-fact permits is going to be reinstated. He also said that there should be cost savings realized by being more diligent in administration. Sven will also be doing more inspections and follow ups.

Mr. Fedorow said he plans to add an FAQ section to the website and previous variance decisions to help people better understand the zoning process.

Mr. Fedorow said there could be cost savings by further streamlining the permitting process. At present, variance applications take far more time than the fee can cover.

Ms. Murphy stressed the importance of enforcing the bylaws.

Mr. Fedorow said there had been so many structural challenges to the land use office for so many years that it will take a while for things to get back to normal. He felt that as that occurs, people will be more willing/ready to work with the office perhaps making enforcement less necessary.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Morris reminded the board of the “cost of employee turnover” discussion he had presented earlier (1.5-2 X the cost of the annual salary) – he said he is seeing it in the land use office. “Things are falling through the cracks, things are falling apart; seeing zoning applications that have been changed over the years and they've gotten worse and worse – not even asking for the right information anymore. Things need to be updated. There needs to be some stability in that department.”

Mr. Fedorow said the quality of the records have declined in recent years making it difficult to figure out what's happening on properties.

Ms. Murphy asked Mr. Tillman if he wanted to add anything to the discussion. Mr. Tillman said that Mr. Fedorow has done an excellent job and made the Commission's job much easier.

Ms. Murphy asked if the board was ready to make a motion. Mr. Arrison asked for additional clarification on the budget numbers, which Mr. Morris provided. Mr. Arrison was ultimately satisfied.

Motion: To approve moving the Land Use Administrator position to a full-time position.

Made by: Mr. Cole **Second:** Mr. Leach

Vote: Unanimous in favor

7. Discuss FEMA Buyout of Amsden Store Building

This is the second time the board has visited this subject. Mr. Morris said that last time we were not in a position to apply for the buy-out program, but because our hazard mitigation plan has been rewritten, we now qualify.

The cost to the town of buying the building, tearing it down, and stabilizing the site would be nothing if it is done through the buy-out program. (If the town decides to turn the site into a park there would only be the cost of maintaining it). In the buy-out program, FEMA buys the building at its pre-Irene appraisal value (\$70-75K). The town would contract with the owner to use that money to take the building down and stabilize the land. The landowner keeps any residual funds.

Ms. Murphy had been previously concerned that a match of \$25,000 of taxpayer money would be required to buy the property. Mr. Morris said that technically the town is required to provide a 25% match, however, FEMA allows the landowner to deduct the town's share from what they accept as the buyout.

Mr. Arrison felt that this was the best solution to this problem as the town will no doubt end up with it anyway.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Morris said that the board could make a motion at this meeting or wait until John Broker-Campbell from RPC could come and describe the program more fully at the next meeting.

Motion: That we proceed with the FEMA pre-mitigation application for the Amsden Store property.

Made by: Mr. Arrison **Second:** Mr. Boyer

Mr. Cole raised the question of what happens if hazardous materials are discovered and asked if the \$75K would be enough to cover dealing with it. Mr. Morris said he could look into it a bit more. He said he has been getting estimates of in the \$40K range. He said his thought was to discuss this at this meeting and then make a decision at the next meeting.

Mr. Morris said he had not yet contacted the property owner. She was in agreement with this idea last year, but Mr. Morris didn't want to contact her this year until the board had consensus.

Ms. Murphy asked the board to hold off on making a motion until Mr. Morris can have a lead test done on the building, and he contacts the landowner. Mr. Morris thought the approval should come first. He said confirmation of hazardous materials will cost a few thousand dollars. He said RPC still estimated \$40-\$50K even with hazmat involved.

Mr. Cole remained skeptical that we may run out of money. Ms. Murphy asked if we get a signed written agreement from the family specifying what happens with the money. Mr. Morris said a strong contract would be written specifying that they will get whatever is left after the work has been completed.

Mr. Morris doubted we would have to submit any cash with the application.

It was agreed that there was no harm in submitting the application now and having time to negotiate the contract with the owner. The town can back out at any time if need be.

Motion: To move forward with the grant application

Made by: Mr. Arrison **Second:** Mr. Leach

Vote: Unanimous in favor

Mr. Morris will have John Broker-Campbell come to the next meeting to provide more information on the process.

8. Ordinance Review – Child Safety (Cont. from 5/21/2018)

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Leach asked if the state had anything similar to cover the same concerns. Mr. Morris said he hasn't seen any state statute on this. However, each sex offender has limits on what they can/can't do that are set by the court.

Ms. Murphy asked Mr. Morris to have VLCT assist in the search for an appropriate attorney to assist with this. (The attorney VLCT had originally referred us to was not able to assist.)

Mr. Cole raised the issue of enforcing such an ordinance locally – whereas when the court sets limits, the court is responsible for enforcing them. And what if our ordinance conflicts with the court's orders?

Mr. Arrison said the ordinance would provide protection after an offender has served his time and is now out of prison. Mr. Morris thought that limits set by the court would still apply. Mr. Arrison asked Mr. Morris to check into it further.

Motion: To table the discussion

Made by: Mr. Arrison **Second:** Mr. Boyer

Vote: Unanimous in favor

9. Discuss VLCT Draft Policy

Ms. Murphy called for any questions for Mr. Morris to bring to the VLCT Policy discussions.

Mr. Arrison said, under public safety – the state did a \$300K study for policing and public safety. The study revealed that the departments were top-heavy. He asked to have VLCT push to implement the recommendations of that study. Mr. Morris said he didn't know how he would go about presenting that at this particular meeting. He said he could have brought that up in July when they were writing this (policy).

Ms. Murphy said the packet was missing page 7 of the public safety policy.

There were no other comments or questions.

10. Transfer to Fire Equipment Reserves

The total surplus in the fire budget was \$20,212 with an expected general fund surplus of \$84K. Mr. Morris asked the board to consider moving \$15K into the Fire Equipment Reserve fund on the grounds that the fund is low (\$6494) and with the potential changes coming in fire services it would give some additional reserve money. Mr. Morris provided Section 4.3 Appropriated Operating Funds from the fire agreement signed in October for the board's reference.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Ms. Murphy asked why not transfer the entire surplus to the reserve in accordance with the fire agreement instead of just \$15K? Mr. Morris said he reads it as “appropriated funds” and the appropriation had a surplus of \$6,185 which the agreement said should be put in reserves. He is asking to put \$15K in instead.

Ms. Murphy asked, if the agreement calls for the \$6,185 to be moved into the reserves, why are you moving \$15K? Mr. Morris said there was \$20,212 left in the fire budget and he is recommending moving \$15K in because the reserve is extremely low.

The appropriation was \$22,500 for each department, with an additional \$10K to each for personal protection equipment (PPE) and hose. The \$6185 is what is left over from that.

Ms. Murphy asked – if we have signed agreements with both departments for those parameters and each had \$10K for PPE and hose – how do you differentiate the money that was supposed to go to each department for PPE that wasn't spent? Mr. Morris said we weren't going to track per department. We were just going to put it into the reserves, where the departments would have to come to the board for permission to spend it. Mr. Leach asked why we wouldn't want to track the funds? Ms. Murphy said there had been a “perceived inaccurate use of funds” where one set of gear was purchased and the remaining funds were used for operations. Ms. Murphy said that has since been cleared up. Now, she felt, that the \$10K should stay with the department – otherwise, the excess is put into the reserve. When a department comes to use those funds, it is almost like a double allocation. Mr. Cole pointed out that those funds cannot be utilized without select board approval. Mr. Morris said it would be extremely cumbersome for the office to track those funds.

Ms. Murphy said she felt that any funds over and above the surplus specified in the fire agreement should be voted on by the taxpayers before placing it in the reserves.

Mr. Cole said that if we don't do this, then the money ends up in the general fund and ends up not being used by the fire departments as it was intended to be.

Ms. Murphy then asked why not move all of the surplus into the reserve and not just \$15K? Mr. Morris said that could be done, but he was just recommending moving some of it and not “max any of them out”.

There was concern that these numbers may change when the audit is completed. Mr. Morris said the numbers are pretty solid, just not finalized and that it was unlikely that wide sweeping changes would be made at this point.

Mr. Arrison asked why the money couldn't be moved after the audit is done. Mr. Morris said that moving the funds after the audit would skew all of the figures in the report. He said the

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

board could take the funds out of the fund balance later, but felt this is the right time to do it. It makes the town report more accurate and transparent.

Motion: To move \$20,212 from the general fund surplus to the fire equipment reserve fund.

Made by: Mr. Cole **Second:** Mr. Boyer

Vote: Mr. Arrison voted no; all others voted in favor. Motion carries.

11. Budget Discussion

Mr. Morris had provided the board with a list of projects that the board might like to see completed as a means of starting the budget discussion.

Ms. Murphy said she would like to see some type of rating system that identifies the community benefit (short- and long-term) of each project, because the reality is that the taxpayers have to fund them. She suggested a matrix showing the project, its estimated cost, any possible return on investment, and what the community benefit will be.

Mr. Morris asked that the board please not look just at the list he had provided. He said what he has been trying to do for a couple of years now is to get the select board to say, “here's some projects you guys should be looking at”. He said staff knows it jobs and what they should be doing, but what they really would like is some direction from the select board. He said community members offered many ideas during the village revitalization meetings. He wants to continue that brainstorming and discussing. Otherwise the decision-making falls to just a handful of people.

Mr. Morris said he wants to start with the list of ideas and then start working on the matrix that Ms. Murphy suggested.

The projects can be both town-funded (think sidewalks and wastewater treatment) and privately funded (think senior housing) for which the town sets the stage. Mr. Morris said the project list may cause the “phone to ring”, but that's a great way to engage community members in finding out what they want. He said, in a way, that's the job of the board – to find out what people want. Board members are the citizen representatives of the town.

Ideas:

- Water/wastewater in Perkinsville and wastewater for Ascutney
- Sidewalks
- Roadside mower for the highway department
- Connecticut River access
- Paving Center Road
- Extended hours for the library
- Hydrant on the Connecticut River for local fire suppression and mutual aid

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

- Basketball court on the motel lot (until the owner decides what he wants to do with the land)

It was agreed to continue the discussion at the next meeting. There will be a discussion on the Capital Improvement Plan at the next meeting as well.

12. Appointments

13. Approve Warrants

Motion: To approve the warrants for 9/4/2018 as follow:

General Funds	Operating Expenses	\$26,733.97
	Payroll	\$14,258.76
Highway Fund	Operating Expenses	\$3,865.22
	Payroll	\$8,338.83
Solid Waste Management Fund		
	Operating Expenses	\$8,558.99
	Payroll	\$1,459.21
Library	Operating Expenses	\$1,315.61
	Payroll	\$1,804.89
RACLT		\$4,966.28
Grants	Operating Expenses	\$0.00
Agency Monies	Operating Expenses	\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$45,440.07
	Payroll	\$25,861.69

Made by: Mr. Arrison **Second:** Mr. Boyer

Vote: Unanimous in favor

14. Future Meeting Agenda Items

15. Adjourn

Motion: To adjourn the meeting

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Made by: Mr. Boyer **Second:** Mr. Arrison

Vote: Unanimous in favor

The meeting adjourned at 8:52 PM.

Respectfully submitted,

deForest Bearse

WEATHERSFIELD SELECTBOARD

N. John Arrison, Selector

Daniel E. Boyer, Selector

C. Peter Cole, Vice-Chairperson

Tom Leach, Clerk

Kelly Murphy, Chairperson